



## DECLARATION FOR PATENT APPLICATION

As the below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **NUTRIENT COMPOSITIONS AND METHODS FOR ENHANCED EFFECTIVENESS OF THE IMMUNE SYSTEM**, the specification of which

\_\_\_\_\_ is attached hereto as Attorney Client-Matter No. \_\_\_\_\_).

X was filed on December 31, 2003, as Application Serial No. 10/750,545  
(Attorney Client-Matter No. 69738-011)

and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: Jon D. Kaiser  
Serial No.: 10/750,545  
Filed: December 31, 2003  
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Full name of inventor: Jon D. Kaiser

Inventor's signature:

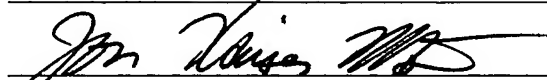
Date:

Residence:

Citizenship:

Mailing Address:

Jon D. Kaiser



2/25/04

Mill Valley, California

United States

142 Manor Drive  
Mill Valley, CA 94941



**POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE**

Assignee Integrative Health Consulting, Inc. is the owner of the entire right, title and interest of U.S. Patent Application

Serial No. 10/750,545, filed on December 31, 2003, as attorney docket number 69738-011, and entitled **NUTRIENT COMPOSITIONS AND METHODS FOR ENHANCED EFFECTIVENESS OF THE IMMUNE SYSTEM,**

and any subsequently filed divisional, continuation, or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; ANDREA L. GASHLER, Registration No. 41,029; DEBORAH L. CADENA, Registration No. 44,048; ASTRID R. SPAIN, Registration No. 47,956; and PAMELA M. GUY, Registration No. 51,228.

Please direct all telephone calls to David A. Gay at (858) 535-9001 and address all correspondence to:

DAVID A. GAY  
McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive, Suite 700  
San Diego, California 92122

The undersigned is authorized to sign on behalf of the Assignee.

Signature:

Jon Kaiser, MD

Name (typed):

Jon Kaiser, MD

Title:

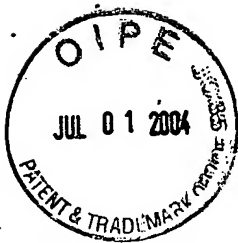
President

Assignee:

Integrative Health Consulting, Inc.

Date:

2/25/04



**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Title of Application: **NUTRIENT COMPOSITIONS AND METHODS FOR  
ENHANCED EFFECTIVENESS OF THE IMMUNE  
SYSTEM**

Application Ser. No.: 10/750,545

Filed: December 31, 2003

Inventor(s): Jon D. Kaiser

Attorney Client-Matter No.: 69738-011

Integrative Health Consulting, Inc., a Corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 2/25/04 Signature: Jon Kaiser, MD

Name: Jon Kaiser, MD

Title: President

**COPY**

ASSIGNMENT

This Assignment is made by Jon D. Kaiser of Mill Valley, California, Assignor, to Integrative Health Consulting, Inc., Assignee, having a place of business at 655 Redwood Highway, Suite 225, Mill Valley, California, 94941.

WHEREAS, Assignor has invented a new and useful **NUTRIENT COMPOSITIONS AND METHODS FOR ENHANCED EFFECTIVENESS OF THE IMMUNE SYSTEM** for which an application for United States Letters Patent was filed on December 31, 2003, in the United States Patent and Trademark Office, bearing Serial No. 10/750,545 and identified as Attorney Client-Matter No. 69738-011;

WHEREAS, Assignor believes that Assignor is the original inventor of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor sells, assigns, and transfers to Assignee, the entire right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to said application under Title 35, United States Code, Sections 120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, Assignor and Assignor's legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that Assignor has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests that any United States or foreign Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional, continuation or reissue application, be issued to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

Inventors: Jon D. Kaiser  
Serial No.: 10/750,545  
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IN WITNESS WHEREOF, Assignor has executed this Assignment on the date(s)  
provided below.

Assignor: Jon D. Kaiser

Signature  
Date

Jon Kaiser, MD  
2/27/04

STATE OF CALIFORNIA )  
COUNTY OF )

On 27 February, 2004, before me, D. H. Higgins personally  
appeared Jon D. Kaiser, \_\_\_ personally known to me - OR - ☒ proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument  
and acknowledged to me that he executed the same in his authorized capacity(ies), and that by  
his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

WITNESS by hand and official seal.

D. H. Higgins  
(Signature of Notary)

